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No. 200

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. LONGLEY].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 15, 1995.

I hereby designate the Honorable JAMES B. LONGLEY, Jr., to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Let us pray using the words of Psalm 138:

I give Thee thanks, O Lord, with my whole heart; before the gods I sing Thy praise; I bow down toward Thy holy temple and give thanks to Thy name for Thy steadfast love and Thy faithfulness; for Thou hast exalted above everything Thy name and Thy word. On the day I called, Thou didst answer me, my strength of soul Thou didst increase. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. TIAHRT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Chair's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TIAHRT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Pursuant to clause 5, rule I, further proceedings on this vote will be postponed, and the vote will be taken later today.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio [Mr. TRAFICANT] come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MOTION TO AUTHORIZE SPEAKER TO DECLARE RECESSES SUBJECT TO THE CALL OF THE CHAIR THROUGH MONDAY, DECEMBER 18, 1995

Mr. ARMEY. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. ARMEY moves that the Speaker may be authorized to declare recesses subject to the call of the chair through Monday, December 18, 1995.

PARLIAMENTARY INQUIRY

Mr. FAZIO of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FAZIO of California. Mr. Speaker, as many Members may know, this

procedure has never been used before, and it is my understanding that this procedure is being used to avoid a problem we may anticipate down the road in terms of our ability to later adjourn the House. I wonder if perhaps the Chair or the majority leader could enlighten us. The last time the House failed to adjourn during the last Government shutdown, Members on this side of the aisle were not notified ahead of time as to the Speaker's intentions regarding the length of the recesses called as a result. Regarding the length of recesses called, we would hope some Democratic Members who at that time ended up remaining in their offices throughout the weekend because they had not been assured in advance of notice as to when the House could come back into session would be informed, given perhaps as much as 2 days' notice as to when we may be called back into session. I wonder if the Chair or the majority leader could assure Members on both sides of the aisle that sufficient notice will be given so that we can avoid that kind of problem in the future.

The SPEAKER pro tempore. The Chair believes this is a privileged motion, the Chair believes that adequate notice will be given, and the Chair will defer to the majority leader in response to the parliamentary inquiry.

Mr. ARMEY. Mr. Speaker, if I might respond to the gentleman from California, let me assure the gentleman from California that Members would be given ample notice before we would reconvene the body. We obviously take this measure in order for Members to be with their families later today, and tomorrow, and Sunday, insofar as it is possible to do that. Should work present itself that would be compelling enough for us to interrupt that time with their families, we will first notify the Members in ample time for them to return, and then second, of course, convene to take up that work.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Mr. FAZIO of California. Further parliamentary inquiry, Mr. Speaker:

I assume we are using this device as a way of moving forward if no CR is enacted, and obviously I would hope, as I assume we all would, that some sort of continuing resolution could be put in place so that we would actually not be in a position to shut the Government down, but this device does remain available if we are not able to accomplish that. Could the gentleman give us some outstanding date or time on a given day when he would anticipate the recess coming to a close?

Mr. ARMEY. Mr. Speaker, the gentleman, of course, is free to assume whatever he likes.

Mr. Speaker, I would anticipate that what work might get done on the budget would not be done in sufficient time for us to act on it before Monday next. There is other work we can do, but it is not of such compelling urgency that we would need to schedule it for the week-end given that we can do it during the course of next week's proceedings.

So, I would anticipate that except in the extraordinary circumstance of a budget agreement that Members might prepare to go to their districts to be with their families and their constituents until Monday afternoon. We would probably try to arrange the schedule so that there would be no votes until after 5 on Monday.

Mr. FAZIO of California. Mr. Speaker, I appreciate that assurance. I think it gives Members some confidence that even though this is a rather extraordinary, in fact perhaps unprecedented, delegation of authority, at least the Members on our side are being given, in effect by the gentleman's comments, adequate notice.

Mr. ARMEY. Mr. Speaker, if I might respond, I will have a statement, of course, later in the day so that we can have perhaps more firm revelations for Members, but in any event should the Speaker exercise his authority, Members will have certainly at least 24 hours' notice before they are called back to the Chamber.

Mr. FAZIO of California. I appreciate the gentleman's assurance.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FAZIO of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 215, nays 152, not voting 65, as follows:

[Roll No. 863]

YEAS—215

| | | |
|---------------|---------------|---------------|
| Allard | Funderburk | Myers |
| Archer | Gallegly | Myrick |
| Armey | Ganske | Nethercutt |
| Bachus | Gekas | Neumann |
| Baessler | Gilchrest | Ney |
| Baker (LA) | Gillmor | Norwood |
| Ballenger | Gilman | Nussle |
| Barr | Goodlatte | Oxley |
| Barrett (NE) | Goodling | Packard |
| Bartlett | Goss | Parker |
| Barton | Graham | Paxon |
| Bass | Greenwood | Petri |
| Bateman | Gunderson | Pombo |
| Bereuter | Gutknecht | Porter |
| Bilbray | Hancock | Portman |
| Billrakis | Hansen | Radanovich |
| Bliley | Hastert | Ramstad |
| Boehler | Hastings (WA) | Regula |
| Boehner | Hayworth | Riggs |
| Bonilla | Hefley | Roberts |
| Bono | Heineman | Rogers |
| Brownback | Herger | Rohrabacher |
| Bryant (TN) | Hilleary | Ros-Lehtinen |
| Bunn | Hobson | Roth |
| Bunning | Hoekstra | Roukema |
| Burr | Hoke | Royce |
| Burton | Horn | Salmon |
| Buyer | Hostettler | Sanford |
| Callahan | Houghton | Saxton |
| Calvert | Hunter | Scarborough |
| Camp | Hutchinson | Schaefer |
| Canady | Hyde | Schiff |
| Castle | Inglis | Seastrand |
| Chabot | Istook | Sensenbrenner |
| Chambliss | Jacobs | Shadegg |
| Chenoweth | Johnson (CT) | Shaw |
| Christensen | Johnson, Sam | Shays |
| Chrysler | Jones | Shuster |
| Clinger | Kasich | Skeen |
| Coble | Kelly | Smith (MI) |
| Coburn | Kim | Smith (NJ) |
| Collins (GA) | King | Smith (TX) |
| Combest | Kingston | Smith (WA) |
| Cooley | Klug | Solomon |
| Crapo | Knollenberg | Souder |
| Creameans | Kolbe | Spence |
| Cubin | LaHood | Stearns |
| Cunningham | Largent | Stockman |
| Davis | Latham | Stump |
| Deal | LaTourette | Talent |
| DeLay | Laughlin | Tate |
| Diaz-Balart | Lazio | Tauzin |
| Dickey | Leach | Taylor (NC) |
| Dreier | Lewis (KY) | Thomas |
| Duncan | Livingston | Thornberry |
| Dunn | LoBiondo | Tiahrt |
| Ehlers | Longley | Torkildsen |
| English | Lucas | Upton |
| Ensign | Manzullo | Vucanovich |
| Everett | Martini | Walsh |
| Ewing | McCollum | Wamp |
| Fawell | McCrery | Watts (OK) |
| Flanagan | McHugh | Weldon (FL) |
| Foley | McIntosh | Weldon (PA) |
| Forbes | McKeon | Weller |
| Fowler | Metcalf | White |
| Fox | Meyers | Whitfield |
| Franks (CT) | Mica | Wicker |
| Franks (NJ) | Miller (FL) | Wolf |
| Frelinghuysen | Molinari | Zeliff |
| Frisa | Moorhead | Zimmer |
| | Morella | |

NAYS—152

| | | |
|--------------|-------------|---------------|
| Andrews | Costello | Foglietta |
| Baldacci | Coyne | Ford |
| Barcia | Cramer | Frank (MA) |
| Barrett (WI) | Danner | Frost |
| Becerra | de la Garza | Furse |
| Bentsen | DeLauro | Gejdenson |
| Berman | Dicks | Gephardt |
| Bevill | Dingell | Geren |
| Bishop | Doggett | Gibbons |
| Borski | Dooley | Gonzalez |
| Boucher | Doyle | Gordon |
| Brewster | Durbin | Hall (TX) |
| Browder | Edwards | Hamilton |
| Brown (CA) | Engel | Hefner |
| Brown (FL) | Eshoo | Hilliard |
| Brown (OH) | Evans | Holden |
| Clay | Farr | Jackson (IL) |
| Clement | Fattah | Jackson-Lee |
| Clyburn | Fazio | (TX) |
| Coleman | Fields (LA) | Johnson (SD) |
| Condit | Filner | Johnson, E.B. |
| Conyers | Flake | Johnston |

| | | |
|--------------|---------------|-------------|
| Kanjorski | Moran | Sawyer |
| Kennedy (MA) | Murtha | Schroeder |
| Kennedy (RI) | Neal | Scott |
| Kennelly | Oberstar | Serrano |
| Kildee | Obey | Sisisky |
| Klecza | Olver | Skelton |
| Klink | Ortiz | Slaughter |
| Levin | Orton | Spratt |
| Lewis (GA) | Owens | Stark |
| Lincoln | Pallone | Stenholm |
| Lipinski | Pastor | Studds |
| Lofgren | Payne (NJ) | Stupak |
| Lowey | Payne (VA) | Tanner |
| Luther | Pelosi | Taylor (MS) |
| Markey | Peterson (FL) | Thompson |
| Mascara | Peterson (MN) | Thornton |
| Matsui | Pickett | Thurman |
| McCarthy | Pomeroy | Trafigant |
| McDermott | Poshard | Vento |
| McHale | Rahall | Volkmer |
| McKinney | Rangel | Ward |
| Meek | Reed | Waters |
| Menendez | Richardson | Watt (NC) |
| Miller (CA) | Rivers | Waxman |
| Minge | Roemer | Williams |
| Mink | Roybal-Allard | Wise |
| Moakley | Rush | Woolsey |
| Mollohan | Sabo | Wyden |
| Montgomery | Sanders | Wynn |

NOT VOTING—65

| | | |
|--------------|---------------|------------|
| Abercrombie | Green | Mfume |
| Ackerman | Gutierrez | Nadler |
| Baker (CA) | Hall (OH) | Pryce |
| Beilenson | Harman | Quillen |
| Bonior | Hastings (FL) | Quinn |
| Bryant (TX) | Hayes | Rose |
| Cardin | Hinchey | Schumer |
| Chapman | Hoyer | Skaggs |
| Clayton | Jefferson | Stokes |
| Collins (IL) | Kaptur | Tejeda |
| Collins (MI) | LaFalce | Torres |
| Cox | Lantos | Torricelli |
| Crane | Lewis (CA) | Towns |
| DeFazio | Lightfoot | Velazquez |
| Dellums | Linder | Visclosky |
| Deutsch | Maloney | Waldholtz |
| Dixon | Manton | Walker |
| Doolittle | Martinez | Wilson |
| Dornan | McDade | Yates |
| Ehrlich | McInnis | Young (AK) |
| Emerson | McNulty | Young (FL) |
| Fields (TX) | Meehan | |

□ 1028

Mr. MORAN and Mr. MURTHA changed their vote from "yea" to "nay."

Mr. ENSIGN changed his vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Miss COLLINS of Michigan. Mr. Speaker, I was unavoidably detained during rollcall vote 863. Had I been present, I would have voted "no".

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1747. An act to amend the Public Health Service Act to permanently extend and clarify malpractice coverage for health centers, and for other purposes; and

H.R. 2336. An act to amend the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and for other purposes.

The message also announced that the Senate had passed with an amendment